

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** HB426

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:** Levine

**3. Committee:** Courts of Justice

**4. Title:** Careless driving; cause of injury to vulnerable road user.

**5. Summary:** Provides that a person who operates a motor vehicle in a careless or distracted manner and causes of serious bodily injury to a vulnerable road user who is lawfully present on a highway is guilty of a Class 1 misdemeanor. The bill defines a vulnerable road user as a pedestrian or person riding a bicycle, electric personal assistive mobility device, electric bicycle, wheel chair, skateboard, roller or in-line skates, foot-scooter, animal, or animal-drawn vehicle.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Preliminary. See Item 8 below.

**8. Fiscal Implications:** Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail. There is not enough information available to reliably estimate how many additional inmates in jail could result from this proposal. Ultimately, the presiding judge will decide if there is to be any time served in jail; however, any increase in jail population will increase costs to the state. The Commonwealth presently pays the localities \$4.00 a day for each misdemeanant or otherwise local responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs on a per prisoner, per day basis varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2017), the estimated total state support for local jails averaged \$34.58 per inmate, per day in FY 2016.

**9. Specific Agency or Political Subdivisions Affected:** Local and Regional jails

**10. Technical Amendment Necessary:** None

**11. Other Comments:** None